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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

In re Agile Software Corporation Derivative Litigation	)	Case No. C 06-07434 JW
	)	
	)	<b>STIPULATION AND <del>PROPOSED</del></b>
	)	<b>ORDER MODIFYING BRIEFING</b>
	)	<b>SCHEDULE</b>

WHEREAS, by Order dated March 15, 2007, this Court consolidated four shareholder derivative complaints filed on behalf of Agile Software Corporation, Inc. ("Agile" or the "Company") all of which allege damages and other injuries sustained by the Company as a result of defendants' stock option backdating and related misconduct;

WHEREAS, also by Order dated March 15, 2007, this Court set a hearing on Defendants' anticipated Motion to Dismiss for October 1, 2007;

WHEREAS, on June 29, 2007, Lead Plaintiffs Mary Jo Meek and Steven Rosen ("Lead Plaintiffs") filed their Amended Consolidated Complaint;

WHEREAS, on August 22, 2007, Defendants filed their Motions to Dismiss;

WHEREAS, by Second Stipulation and Order Setting Schedule dated October 10, 2007, Lead Plaintiffs shall respond to Defendants' Motions to Dismiss by October 23, 2007, Defendants shall file and serve their Reply brief by December 4, 2007 and the hearing on the Motions to Dismiss shall be held on January 14, 2008;

WHEREAS, due to emergency circumstances, Lead Plaintiffs seek a short extension of time and Defendants do not oppose;

WHEREAS, the agreed-upon schedule is not for the purpose of delay, promotes judicial efficiency, and will not cause prejudice to any party.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by Lead Plaintiffs and Defendants, through their respective counsel of record and subject to the approval of this Court as follows:

1. Lead Plaintiffs shall file and serve their opposition to Defendants' Motions to Dismiss the Consolidated Complaint no later than October 30, 2007;  
and
2. Defendants shall file and serve any reply no later than December 11, 2007.

IT IS SO STIPULATED.

Dated October 23, 2007

SCHIFFRIN BARROWAY TOPAZ &  
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/s/

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Dated: October 23, 2007

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Dated: October 23, 2007

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Wahl, and Klaus-Dieter Laidig and Nominal and  
Third-Party Defendant Agile Software Corporation*

I, Alan R. Plutzik, am the ECF User whose ID and password are being used to file this  
STIPULATION AND [PROPOSED] ORDER MODIFYING BRIEFING SCHEDULE. I hereby  
attest that each of the two signatories identified above has concurred in this filing.

\* \* \*

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 23, 2007

  
JAMES WARE  
United States District Judge